

Amended – MAY 12, 2016

Posted – MAY 11, 2016

REGULAR MEETING May 16, 2016

TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND

The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, May 16, 2016 at 5:30 P.M. – Budget Review and 7:00 P.M. Regular Meeting at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island. The items listed on the Consent portion of the agenda are to be considered routine by the Town Council and will ordinarily be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests and the Town Council President permits, in which event the item will be removed from Consent Agenda consideration and considered in its normal sequence on the agenda. All items on this agenda, with the exception of the Public Forum Session, may be considered, discussed and voted upon.

Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the

members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert’s Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later

than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

5:30 P.M. - BUDGET

1. Review of Proposed FY2016-2017 General Fund, Parks and Recreation Fund, Sewer Fund, Stormwater Utility Fund Budgets, related grants, CIP submissions, Q & A and matters related thereto.

PRESENTATION

2. At the request of Councillor Rodrigues, Citation of the Council, re: Middletown Unified Basketball Team.

PUBLIC FORUM

3. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.

BOARD OF LICENSE COMMISSION

4. Public Hearing (Advertised)

Application of Mizu Yama Japanese Restaurant Corporation dba Mizu Steak House, 250 East Main Road, holder of a Class BV Alcoholic Beverage License to TRANSFER said License to Mizu Wei Japanese Restaurant Corporation dba Mizu Wei Japanese Restaurant for use at the same premises.

CONSENT

5. Approval of Minutes, re: Regular Meeting, April 18, 2016.

- 6. Approval of Minutes, re: Regular Meeting, May 2, 2106.**
- 7. Memorandum of Town Administrator, re: Appointment of Finance Director – Marc Tanguay.**
- 8. Resolution of the Council, re: Confirmation of appointment of Town's Finance Director and annual base salary.**
- 9. Memorandum of Town Planner, re: Planning Board Representatives to Open Space & Fields Committee and Conservation Commission.**
- 10. Memorandum of Town Planner, re: Planning Board Officers.**
- 11. Resolution of the Smithfield School Department, re: On Gun Free Schools.**
- 12. Resolution of the Town of East Greenwich, re: Supporting H8005 Student Transportation Legislation Revisions.**
- 13. Notice of Public Hearing from the Middletown Zoning Board of Review, Petition of Ken Alves (owner) for a Special Use Permit from Section 602 – to allow a modification to the previously granted special use permit to allow overnight boarding not to exceed 20 dogs, on said real estate located at 741 West Main Road, TAP 107NE, Lot 452.**

14. Communication of Todd A. Bianco, Coordinator, Rhode Island Energy Facility Sitting Board, with enclosures, re: Preliminary Decision and Order – SB2016-01 – Aquidneck Island Reliability Project.

15. Application of HPK, Inc. dba Tickets, 15 Aquidneck Avenue for RENEWAL of an Amusement License for the 2016-2017 licensing year.

16. Applications received from the following named persons, firms and corporations for RENEWAL of Mechanical Amusement Device Licenses for the 2016-2017 licensing year. (See Attached List)

17. Application for Special Event Permit from Pulse Newport, Beach Camp at Second Beach beginning May 10, 2016 through September 30, 2016, Monday through Thursday from 5:30 am to 7:30 am.

LICENSES AND PERMITS

18. Application of Mizu Wei Japanese Restaurant Corporation dba Mizu Wei Japanese Restaurant, 250 East Main Road, for a Victualling House License for the 2015-2016 licensing year. (NEW)

19. Application for Special Event Permit from St. George's School – Camp Ramleh, Camp Benefit Sale to be held at St. George's School Hockey Rink on Saturday, June 11, 2016 from 9:00 am to 1:00 pm. (Attached is a request to waive permit fee)

20. Application of Marcos Vasconcelos dba My Chourico, Tiverton, for a Peddlers License for the 2016-2017 licensing year. (NEW)

PUBLIC HEARING

21. Public Hearing (Advertised)

Proposed Amendment to Middletown Charter.

TOWN COUNCIL

22. At the Request of Council President Sylvia, Memorandum of Town Planner, with enclosures, re: DRAFT FFY 2017-2025 Transportation Improvement Program (TIP).

23. At the request of Council President Sylvia, Resolution of the Council, re: In opposition to the adoption of the FFY 2017-2025 TIP as currently drafted, and requesting two projects be added to the TIP.

24. Communication of Councillor Viveiros, with enclosure, re: Request that Council suspend all development in the Newport Water Supply reservoirs and Newport/Middletown beaches, and perhaps all Watershed Protected Districts.

APPOINTMENT TO BOARDS AND COMMITTEES

25. Communication of Danielle Domingoes, re: Resignation from the Middletown Prevention Coalition.

26. Appointment of one (1) member to the Roads and Utilities Advisory Committee, for a term expiring January 2017.

Wendy J.W. Marshall, CMC

Town Clerk

This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing-impaired should notify

the Town Clerk's Office at 847-0009 not less than 48 hours before this meeting.